

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

ALAN B. MARCUS, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

VS.

J.C. PENNEY COMPANY, INC., MYRON  
E. ULLMAN, III and KENNETH H.  
HANNAH,

Defendants.

§ Case No.: 6:13-cv-00736-KNM  
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§ Magistrate Judge K. Nicole Mitchell  
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**DECLARATION OF THOMAS R. AJAMIE IN FURTHER SUPPORT OF  
THE MOTION OF ALETTI GESTIELLE SGR S.P.A. FOR  
CONSOLIDATION OF RELATED ACTIONS, APPOINTMENT AS LEAD PLAINTIFF,  
AND APPROVAL OF SELECTION OF LEAD COUNSEL**



I, Thomas R. Ajamie, declare as follows:

1. I am an attorney duly licensed to practice before all of the courts of the State of Texas and this Court. I am a partner of the law firm of Ajamie LLP, Local Counsel for Aletti Gestielle SGR S.p.A. (“Aletti”), the proposed Lead Plaintiff in the above-captioned actions. I make this declaration in further support of Aletti’s Motion for Consolidation of Related Actions, Appointment as Lead Plaintiff, and Approval of Selection of Lead Counsel. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. Attached as Exhibit A is a true and correct copy of *In re AthroCare Corp. Securities Litigation*, No. 08-cv-574, slip op. (W.D. Tex. Dec. 10, 2008).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 20th day of December, 2013.

s/ Thomas R. Ajamie  
Thomas R. Ajamie

**CERTIFICATE OF SERVICE**

I certify that on this 20th day of December, 2013, I electronically filed this Declaration of Thomas R. Ajamie in Further Support of the Motion of Aletti Gestielle SGR S.p.A. for Consolidation of Related Actions, Appointment as Lead Plaintiff, and Approval of Selection of Lead Counsel, using the Court's CM/ECF system, and the declaration and related papers will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

*s/Thomas R. Ajamie*

Thomas R. Ajamie